IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 3910 OF 2005

IN

FIRST APPEAL STAMP NO. 19278 OF 2005

The Board of Trustees of the
Port of Bombay ..Appellants

versus

Phiroze F. Lakdawala ..Respondent

Mr. R. S. Pai i/b. M/s. Mulla & Mulla for the Appellants.
Mr. V. Narayanan for the Respondent.

CORAM : D. G. DESHPANDE,J.

DATE : 12TH SEPTEMBER,2005

P.C. :

1. Heard Counsel for the appellants and the respondent.

2. This is an application for condonation of delay of 288 days. It is opposed by the Respondent. However, counsel for the respondent agrees that they have withdrawn the amount deposited by the Appellants and leave the matter to the discretion of

the court.

3. Looking to the facts and circumstances, the delay is condoned subject to payment of cost of Rs.1,000/- (Rupees One Thousand). Cost to be paid within two weeks from today. Payment of cost condition precedent. Civil Application is disposed of.

4. Put up matter for admission after two weeks.

12.9.2005 (D.G. DESHPANDE, J.)